



**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, November 16, 1999, 8:00 p.m.

MEETING

The Regular Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Boy Scout Troop 819. Mayor Cooper commended them for leading in the flag salute.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR Cooper
Absent: None

PRESENTATIONS: Pride in Hayward Award
Huntwood Neighbors

The Mayor presented the following Eden Gardens neighborhood residents with the Pride in Hayward Award: Pedro and Reyna Mendieta; Ian and Donna Davies; Joseph and Rie Bitting; Joaquin and Marjorie Souza; B.R. and Margaret Flores.

A special Pride in Hayward award was also presented to the Huntwood Neighbors in appreciation of their efforts to contribute to the positive image of Hayward displayed by extraordinary clean-up activities along Huntwood Avenue. Marlene Teel, Ray Matta, and Larry Ferguson accepted the award on behalf of their neighborhood. Marlene Teel spoke on behalf of the neighborhood and invited all who participated to stand. She also thanked Council and staff for their arduous contributions towards this effort.

PUBLIC COMMENTS

Council Member Henson presented two quilts to the City Council, donated by the Fa'asisila family, the young man who was killed in the Huntwood Neighborhood.

Council Member Hilson commended all the Huntwood neighbors for uniting to clean up their neighborhood.

Francisco Abrantes stated that he has lived in Hayward for 22 years. He showed a newspaper article related to a San Leandro homeowner's complaint. He reported that he is seeking a seat on the Council.

Jason Moreno spoke on police department work schedules and his past experience as an officer in Oakland.

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CONSENT

Item 3 was removed at the request of Council Member Jimenez.

1. Approval of Minutes of the Meeting of the City Council of November 9, 1999

It was moved by Council Member Hilson, seconded by Council Member Jimenez, and unanimously carried to approve the Minutes of the City Council Meeting of November 9, 1999.

2. Sidewalk Rehabilitation: Award of Contract and Appropriation of Funds

Staff report submitted by Deputy Director of Public Works Bauman, dated November 16, 1999, was filed.

It was moved by Council Member Hilson, seconded by Council Member Jimenez, and unanimously carried to adopt the following:

Resolution 99-178, "Resolution Awarding Contract to J.J.R. Construction for the Sidewalk Rehabilitation Project, Project No. 6942"

Resolution 99-179, " Resolution Amending Resolution 98-110, as Amended, the Budget Resolution for Capital Projects for Fiscal Year 1999-2000, Relating to an Appropriation of Funds for the Sidewalk Rehabilitation Project, Project No. 6942"

3. Optical Traffic Signal Preemption System: Approval of Addendum No. 1 and Award of Contract

Staff report submitted by Deputy Director of Public Works Bauman, dated November 16, 1999, was filed.

Council Member Jimenez stated that he was pleased to see the upgrading of the traffic signal preemption system to address the increase of traffic and congestion throughout this community.

It was moved by Council Member Jimenez, seconded by Council Member Hilson, and unanimously carried to adopt the following:

Resolution 99-182, "Resolution Approving Addendum No. 1 for the Optical Traffic Signal Preemption System Project, Project No. 5704, and Award Contract to Tennyson Electric, Inc.



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4. Hesperian Boulevard Fiber Optics Project: Award of Contract and Appropriation of Funds

Staff report submitted by Deputy Director of Public Works
Bauman, dated November 16, 1999, was filed.

It was moved by Council Member Hilson, seconded by Council Member Jimenez, and
unanimously carried to adopt the following:

Resolution 99-180, "Resolution Amending Resolution 98-110, as
Amended, the Budget Resolution for Capital Projects for Fiscal
Year 1999-2000, Relating to an Appropriation of Funds for the
Hesperian Boulevard Fiber Optics Project, Project No. 5182"

Resolution 99-181, "Resolution Awarding Contract to Mike Brown
Electric Company for the Hesperian Boulevard Fiber Optics
Project, Project No. 5182"

LEGISLATIVE BUSINESS

**5. Request from the South Hayward Parish that the City Council Oppose the Knight Initiative
(Proposition 22)**

Staff report submitted by City Manager Armas, dated November
16, 1999, was filed.

City Manager Armas made a brief statement noting that Council was presented with information
from both the proponents and the opponents to Proposition 22.

There was no Council discussion.

Mayor Cooper opened the public hearing at 8:25 p.m.

The following spoke in opposition to the Proposition 22 (Knight Initiative):

Charlene Shores, 25950 Clover Road, representing a local political group of Gays and
Lesbians (GLOBE), as well as the District Council of the American Federation of State,
County and Municipal Employees (AFSCME)

John Ellefsen, 22646 4th Street

Frank Howell, 31103 Hershey Way

Linda Bennett, representing the League of Women Voters, P.O. Box 582

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Rev. John F. Wichman, representing South Hayward Parish Board of Directors, 27269 Patrick Avenue
Betty De Forest, representing Parents and Friends of Lesbians and Gays, 1265 Westwood Street
Robin Torello, Southern Alameda Chapter of the National Women's Political Caucus
Lester Williams, 26416 Peterman Avenue
Barbara Jue, San Leandro
Lisa Aguirre, representing the Hayward Demos
Peter Hendley, 1716 Highland Boulevard
Grant Peterson, 2201 Oak Creek Lane
Darci Meyers, COMPREE, 22652 Second Street
Beatrice Thornton, 816 Pinedale Court
Don Sheppard, 22722 Wildwood Street
Mary Lavelle, 3212 Oakes Avenue
Tony Lewis, Eden United Church of Christ, 28395 Cubberley Court

The following spoke in support of Proposition 22 (Knight Initiative):

Kenneth Harmeyer, 23845 Ida Lane

Terry Higgins, representing the Knights of Columbus, 24659 Lyell Way

John Neath, 681 Longwood Avenue, was extremely opposed to having this controversial subject on this agenda. He felt it unnecessary for City Council to try to influence the voters. This should be left to the individual voter.

Tom Quillen, 31167 Carroll Avenue, stated that this City Council meeting is not the arena for this discussion.

Mayor Cooper closed the public hearing at 9:16 p.m.

Mayor Cooper read the draft resolution opposing this proposition. She stated that this is a divisive initiative written by an individual for personal reasons. Hayward has always been in the forefront of supporting its residents and favoring a stand that there is no place for intolerance and discrimination.

Council Member Jimenez stated emphatically that he would not vote for the resolution. He said that his faith is Roman Catholic and would not support the recommended action. He implied that this was inappropriate and he was strongly opposed to having it on the agenda. He also felt that the timing for its placement was detrimental to those four incumbents seeking re-election.

Council Member Rodriquez commented that she was deeply moved by the extreme sincerity of both sides. She felt that this was a very serious issue and particularly thanked Beatrice Thornton and Don Shepherd for their eloquence in enumerating the historical aspects of discrimination in this state. This is what democracy is about. She commended everyone who spoke for their sincerity of their beliefs.



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Council Member Dowling stated that this Council has consistently opposed discrimination by speaking out and taking a stand against other discriminatory initiatives, including Propositions 209 and 187. He thanked the South Hayward Parish for bringing this to the Council. He said there is no attempt in the State at this time to try to legalize same sex marriage. Hayward will be third city in Alameda County to oppose this measure.

It was moved by Council Member Dowling, seconded by Mayor Cooper, and carried by the following vote to approve the following:

Resolution 99-182, "Resolution Opposing Proposition 22 (The Knight Initiative)

AYES: Council Members Hilson, Rodriquez, Ward,
Dowling, Henson
MAYOR Cooper
NOES: Council Member Jimenez
ABSENT: None
ABSTAINED: None

Mayor Cooper called for a three-minute recess and reconvened at 9:35 p.m.

6. Review and Approval of Exterior Colors for the Olson Project Adjacent to City Hall

Staff report submitted by Principal Planner/Landscape Architect Woodbury, dated November 16, 1999, was filed.

Principal Planner/Landscape Architect Woodbury made the presentation, noting the revisions to the color scheme as was recommended at a previous work session. She introduced Todd Olson and Patrick Carney of Heller-Manus Architects and responded to Council questions.

Council Member Hilson expressed concern about the awnings. He said that, although the project blended, it was unique and different as well. He said he was looking for more of a definition on the sidewalk between what is public and private space. He also asked for consideration of different sidewalk entries for variety in materials as well.

Principal Planner/Landscape Architect Woodbury responded that there are various finishes and colors that could be considered as alternatives for that purpose.

Council Member Ward expressed concern regarding the end units and how they were going to be treated. He asked about the water elements on these corners, including both the Library end and the BART side.

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Mr. Olson responded that his staff is still working on this. It is a very dynamic building.

Council Member Henson had similar concerns about the awnings. He personally liked the brown copper treatment, but felt that the chimney areas should be darker colors. He would still prefer to see grids on the windows. The off-white color is much better than the gray colors.

Mayor Cooper opened and closed the public hearing at 9:43 p.m.

It was moved by Mayor Cooper, seconded by Council Member Rodriquez, and unanimously carried by all present, to approve the exterior colors to blend with the hues found on City Hall.

COUNCIL REPORTS -There were no Council reports.

ADJOURNMENT

Mayor Cooper adjourned at 9:44 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward